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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/556,931	11/16/2005	Jose Manuel Bartolome-Nebreda	PRD2059USPCT	5571
45511 7590 09/09/2008 WOODCOCK WASHBURN LLP CIRA CENTRE, 12TH FLOOR 2929 ARCH STREET PHILADELPHIA, PA 19104-2891				
EXAMINER MABRY, JOHN				
ART UNIT 1625		PAPER NUMBER		
NOTIFICATION DATE 09/09/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@woodcock.com

Addendum to Advisory Action

Applicant's response on August 18, 2008 filed in response to the Final Office Action dated June 18, 2008 has been received and duly noted.

In view of this response, the status of the rejections/objections of record is as follows:

Status of the Claims

Claims 1, 3, 4, 5, 6 and 8 are rejected.

Claims 2 and 7 have been cancelled.

Claims 9–19 are drawn to non-elected subject matter.

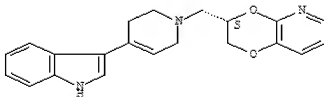
Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed on November 16, 2005.

35 USC § 103(a) Rejection(s)

Applicant's arguments with respect to 103(a) rejections have been fully considered and are not persuasive. The 103(a) rejection of claims 1, 3, 4, 5, 6 and 8 regarding obviousness over Tran et al WO 02/085911 A1 (US Patent equivalents 6,656,950 and 6,987,117) is acknowledged but not persuasive.

Applicant claims compounds of Formula I wherein $-Z^1-Z^2-$ = $-O-CH_2-CH_2-O-$, $(R^1)=H$, $p=0$, $Y=(c-2)$ wherein $m=0$, $R^5=H$, $X=C$ and R^2 , R^3 , $R^4=H$.

Tran discloses compounds and pharmaceutical compositions of Formula I, wherein $-Z^1-Z^2-$ = $-O-CH_2-O-$, (R^1)=H, $p=0$, $Y=(c-2)$ wherein $m=0$, $R^5=H$, $X=C$ and R^2 , R^3 , $R^4=H$ (see Example 1, page 15).



Tran differs from the instant application at the $-Z^1-Z^2-$ position: Tran's $-O-CH_2-CH_2-O-$ versus Applicant's $-O-CH_2-O-$. This are considered ring homologs.

The MPEP 2144.09 which states: Compounds which are homologs (compounds differing regularly by the successive addition of the same chemical group, e.g., by $-CH_2-$ groups) are generally of sufficiently close structural similarity that there is a presumed expectation that such compounds possess similar properties. *In re Wilder*, 563 F.2d 457, 195 USPQ 426 (CCPA 1977).

One of ordinary skill would be motivated to use the compounds of WO 02/085911 A1, because Tran teaches and discloses compounds and pharmaceutical compositions of the same genus of Formula I for the inhibition of serotonin reuptake (SSRI) and treatment and prevention of neurological and related disorders (see entire disclosure) as claimed by the instant application.

Conclusion

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Mabry, PhD whose telephone number is (571) 270-1967. The examiner can normally be reached on M-F from 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's primary examiner can be reached at (571) 272-0684, first, or the Examiner's supervisor, Janet Andres, PhD, can be reached at (571) 272-0867. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

/John Mabry/

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Examiner

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